

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA
COMMISSION DIRECTIVE**

ADMINISTRATIVE MATTER	<input type="checkbox"/>	DATE	<u>May 22, 2019</u>
MOTOR CARRIER MATTER	<input type="checkbox"/>	DOCKET NO.	<u>2018-401-E/2019-130-E</u>
UTILITIES MATTER	<input checked="" type="checkbox"/>	ORDER NO.	<u>2019-369</u>

THIS DIRECTIVE SHALL SERVE AS THE COMMISSION'S ORDER ON THIS ISSUE.

SUBJECT:

DOCKET NO. 2018-401-E - Request of Beulah Solar, LLC and Eastover Solar LLC for Modification of Interconnection Agreement with Dominion Energy South Carolina, Incorporated (f/k/a South Carolina Electric & Gas Company);

-and-

DOCKET NO. 2019-130-E - Ecoplexus, Incorporated, Complainant/Petitioner v. Dominion Energy South Carolina, Incorporated (f/k/a South Carolina Electric & Gas Company), Defendant/Respondent – Staff Presents for Commission Consideration Dominion Energy South Carolina, Incorporated's Request for Clarification of Commission Order No. 2019-293, along with Beulah Solar, LLC and Eastover Solar LLC's Petition for Rehearing or Reconsideration of Order No. 2019-293.

COMMISSION ACTION:

Counsel for Beulah/Eastover has requested reconsideration of Order No. 2019-293. That Order consolidated the case with the Ecoplexus docket. As pointed out in our original order, the Beulah/Eastover Dockets and the Ecoplexus Docket are similar in that: 1) a solar developer, through various types of legal filings, has raised objections to or asserted reasons why it should not have to complete a milestone payment to what was formerly South Carolina Electric & Gas Company, 2) the deadline for such payment has passed, and 3) the parties have now differing opinions or views regarding the implications of that deadline. Now, while Counsel for Beulah/Eastover has rightly pointed out there are issues in these dockets that are not common to each other, however, there are common issues regarding milestone payments and the consequences that flow from having missed those payments. Our Commission has the discretion to consolidate both issues and cases when there is even a single common question of law or fact, under SCRPC 42(a) states:

If actions before the court involve a common question of law or fact, the court may:

- (1) join for hearing or trial any or all matters at issue in the actions;
- (2) consolidate the actions; or
- (3) issue any other orders to avoid unnecessary cost or delay.

Since these dockets involve common questions of law and fact, I move that we stand by our ruling to consolidate these actions regarding the missed milestone payments and any implications that flow from missing those payments. Now, once the Commission has ruled on the common issues, the parties will get an opportunity to then argue and brief the merits of leaving the remaining issues consolidated for hearing. Therefore, I move we instruct Staff to schedule oral arguments on the common issues of fact and law.

PRESIDING: Randall

SESSION: Regular

TIME: 2:00 p.m.

MOTION YES NO OTHER

BELSER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ERVIN	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
HAMILTON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
HOWARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
RANDALL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
WHITFIELD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
WILLIAMS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(SEAL)

RECORDED BY: J. Schmieding

